

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Examiner: William C. Vaughn, Jr.
J.C. CHONG et al.	)	
Serial No.: 10/606,028	)	
Filed: June 25, 2003	)	Art Unit: 2143
For: METHOD AND SYSTEM FOR	)	
MONITORING PERFORMANCE	)	
OF APPLICATIONS IN A	)	
DISTRIBUTED ENVIRONMENT	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

B. ☒ The information disclosure statement submitted herewith is being filed

- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
  - 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
  - 3) before the mailing date of a first Office Action on the merits; or
  - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
  - 2) a fee of \$180 as set forth in 1.17(p).
- D. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
  - 2) a fee of \$180 as set forth in 1.17(p).

**STATEMENT UNDER 1.97(e)**

I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information

disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph C or D *supra*, please charge to Deposit Account No. 09-0460 the amount of \$180 as set forth in 1.17(p). Additionally, please charge any insufficiency or credit any overpayment to Deposit Account No. 09-0460.

Respectfully submitted,

/Janaki K. Davda/

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Dated: June 30, 2006

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet on June 30, 2006.

/Janaki K. Davda/  
Janaki K. Davda

6/30/06  
(Date)

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number		10606028
	Filing Date		2003-06-25
	First Named Inventor	J.C. Chong	
	Art Unit	2143	
	Examiner Name	William C. Vaughn, Jr.	
	Attorney Docket Number	SVL920040552US1	

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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
	1	6446028		2002-09-03	Wang		
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	1	20020120727		2002-08-29	Curley et al.		
	2	20030014464		2003-01-16	Deverill et al.		
	3	20040226013		2004-11-11	Mariotti et al.		
	4	20040054984		2004-03-18	Chong et al.		
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STATEMENT BY APPLICANT**  
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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	PCT Notification of Transmittal of the International Search Report and Written Opinion of the International Searching Authority, or the Declaration mailed Jun 07 2005, PCT/US04/26597, filed Aug 16 2004	<input type="checkbox"/>
	2	Response to Written Opinion and Request for Correction of Description and Drawings dated April 22 2005, for application PCT/US04/26597, filed Aug 16 2004	<input type="checkbox"/>
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Examiner Signature		Date Considered	
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<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 801.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

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First Named Inventor	J.C. Chong
Art Unit	2143
Examiner Name	William C. Vaughn, Jr.
Attorney Docket Number	SVL920040552US1

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Janaki K. Davda/	Date (YYYY-MM-DD)	2006-06-30
Name/Print	Janaki K. Davda	Registration Number	40684

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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